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DEPT FOR EUR/NCE AND EUR/OHI

E.O. 12958: DECL: 06/14/2016

TAGS: [PGOV](#) [KNAR](#) [SI](#)

SUBJECT: SLOVENIA TO ADDRESS JEWISH RESTITUTION ISSUE

Classified By: COM Thomas B. Robertson for Reasons 1.4 (B,D)

11. (C) SUMMARY. The Government of Slovenia (GOS) has taken several important initial steps towards addressing the issue of restitution for Jewish communal and heirless properties confiscated or nationalized after World War II. In October 2005, the Ministry of Justice (MOJ) created a new Department for Restitution and National Reconciliation to study the issue of Jewish restitution. In June 2006, the GOS will issue a tender for a research institution to compile a historical inventory of heirless and communal Jewish properties seized or nationalized after WWII, and by fall 2006, the research project should be underway. The participation of the World Jewish Restitution Organization (WJRO) in discussions with the GOS has also given a fresh impetus to the resolution of the restitution issue. The president of the Jewish Community of Slovenia (JCS), Andrej Kozar Beck, has supported direct discussions between the GOS and WJRO. END SUMMARY.

Restitution Discussions Given Fresh Impetus

12. (C) After years of languishing under the previous center-left government, the issue of Jewish restitution has gained new life under the center-right government of Prime Minister Janez Jansa. Although discussions between Justice Minister Lovro Sturm and Jewish Community President Andrej Kozar Beck initially got off to a rocky start in September 2005 (due largely to miscommunication and perceptions of ill-will on both sides), the involvement of WJRO representative and B'nai B'rith Executive Vice President Daniel Mariaschin has helped improve the atmosphere and move the discussion forward. On November 4, 2005, Mariaschin traveled to Slovenia to consult with Kozar Beck and to meet with GOS officials. During his visit, Mariaschin also met with COM and informed him that in the case of an eventual settlement with the GOS, the WJRO would establish a Trusteeship Foundation to oversee the disbursement of funds obtained from the GOS. The Foundation would include members of the JCS as well as outside members and would ensure that funds are first distributed to any remaining Holocaust survivors before being allocated to local community projects.

MOJ Proposes Joint Historical Inquiry, then Delays

13. (C) During a subsequent visit to Slovenia in early 2006, MOJ Sturm and Mariaschin agreed to collaborate on the historical inquiry. According to the agreement, WJRO was to hire two well respected Holocaust researchers from the Institute for Ethnic Studies in Ljubljana, Dr. Hannah Starman and Dr. Irena Sumi, while MOJ was to hire two additional

researchers (associates of Starman and Sumi) to work as a single research team. The research project was to begin in March 2006 and be completed by December 2006. In subsequent discussions, however, it became apparent that MOJ would not be able to hire the additional researchers directly. Sturm's Chief of Staff, Janko Koren, told Poloff that a GOS-wide hiring freeze required that the researchers be employed through a tender issued by the Slovenian Research Agency. Furthermore, because of the GOS's bi-annual tendering calendar, the announcement of the tender would be delayed until April or May 2006.

COM Hosts Lunch to Discuss Restitution Issues

¶4. (C) On March 24, COM hosted a lunch for Minister Sturm, MOJ Chief of Staff Janko Koren, MFA Director General Janez Sumrada, German Ambassador to Slovenia Hans Jorgen Peters, B'nai B'rith Executive VP Mariaschin, and Arie Bucheister from the Conference on Jewish Material Claims Against Germany. During the lunch, Mariaschin discussed the importance of resolving the issue expeditiously, and thanked Sturm for his cooperation. Sturm expressed his firm conviction that the misdeeds of the post-war Communist regime should be rectified, but noted that the GOS could not be held accountable for injustices committed during the Second World War itself, when Slovenia was occupied by the Axis powers. Sturm also expressed his interest in beginning the historical inventory without delay, but explained that for bureaucratic reasons the tender could not be issued before the "mid-April timeframe."

Back to Two Parallel Research Projects?

¶5. (C) Following the lunch meeting on March 24, Starman called Poloff to report that the tender for the research inquiry was being issued for a research institution, rather than for individual researchers, and said she feared the idea of collaborative research was being abandoned. Afterwards, Poloff phoned MOJ Chief of Staff Janko Koren to inquire about the matter, and Koren confirmed that the tender was being issued for an institution. When Poloff asked why, Koren explained that it was best if the winner of the tender could complete the research project autonomously if need be. Koren told Poloff that Starman and Sumi had refused to share their data with the MOJ, and that he seriously doubted their willingness to cooperate. Koren further explained that because of the bi-annual tendering process, the tender would not be announced until June 2006 and could only be completed by September 2006 at the earliest.

¶6. (C) Starman (protect) later opined to Poloff that the MOJ had reversed its decision on collaborating with her research team because it distrusted their motives and preferred to conduct a separate, parallel research project. (NOTE: In the event that there are two parallel research projects and discrepancies arise between them, the two inventories of properties will then have to be reconciled before restitution negotiations can begin. END NOTE). Starman explained that she had refused to hand over her files to the MOJ until they had signed an agreement stipulating the terms of their cooperation and the handling of sensitive personal data on Holocaust victims and survivors.

¶7. (C) Starman speculated that the GOS tender would be awarded to the Institute for Contemporary Studies, whose Director, Dr. Jera Vodusek, is an old friend of Minister Sturm's. Starman further claimed that the Institute was focused on an issue very close to Sturm's heart: restitution for former members of the rightist "White Guard" who had collaborated with the Axis powers during WWII and whose members were later persecuted by the post-war Yugoslav government. Starman noted that in this way Sturm was trying to associate restitution for Jewish communal and heirless properties with the more neuralgic issue of restitution for

former members of the "White Guard."

Comment

18. (C) Although it will be unfortunate if the GOS and WJRO are forced to conduct two separate research projects (consuming more time, money, and resources than a collaborative effort), this appears to be the most likely outcome at this point. Nevertheless, after years of ignoring the issue, the good news is that the GOS finally appears determined to seriously address the question of Jewish restitution and to conduct research into the confiscation and nationalization of Jewish property after WWII. In addition to engaging Justice Minister Sturm, COM has also raised the issue directly with Prime Minister Jansa and made clear the importance that the U.S. places in resolving this issue equitably and expeditiously. During a May 24 meeting with Deputy FoMin Bozo Cerar, DAS Mark Pekala also underscored the importance of concluding the tender and commencing the research project as soon as possible. Post will continue to engage the GOS on this issue and advocate for a fair and speedy resolution.
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